



**Town of Cheswold
Minutes of the Monthly Town Council Meeting
691 Main Street
Cheswold, Delaware 19936
Monday – June 6, 2022
5:30 p.m.
Council Members Only**

ZOOM Teleconference

1-929-205-6099 Meeting ID: 9728359352#
<https://us02web.zoom.us/j/9728359252>

The following persons were in attendance in person:

Vice Mayor Michael Wysong
Secretary/Treasurer Sam Callender
Councilperson Judith Johnson
Councilperson Mark Moxley
Councilperson Maxwell Amoako

Excused:

Mayor Santo Faronea

Police Department: Chief Chris Workman

Administration: Administrative Clerk Camryn Tunnell

Public Works: Code Enforcement Officer Michael Callender

Town Engineer: Mr. Tom Wilkes, P.E., Carroll Engineering*

| | |
|---|-------------------------------------|
| Community: Mr. Stephen Williams- Parker's Run* | Mr. David Malone- Parker's Run* |
| Mrs. Jeanette Williams- Parker's Run* | Ms. Sherrin Cruz- Parker's Run* |
| Ms. Melinda Baker- Parker's Run* | Ms. Ebonie Taylor - Parker's Run* |
| Ms. Sherrin Cruz – Parker's Run* | Mr. Rodney Callender – Parker's Run |

***Attended via Zoom**

Note: All Parker's Run attendees are members of the Parker's Run HOA Board.

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 15, 2021, on the Town of Cheswold website at: <http://cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on April 25, 2022. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Vice Mayor Michael Wysong, at 5:45 pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

PROPERLY POSTED: Ms. Tunnell noted that the meeting was properly posted on May 26, 2022.

ROLL CALL:

Vice Mayor Wysong requested Ms. Tunnell to call the roll. With all members of the Council present, except Mayor Faronea. Ms. Tunnell presented a quorum to the Vice Mayor and the meeting continued.

REVIEW of AGENDA

Vice Mayor Wysong requested the Council review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendments as needed.

Secretary/Treasurer Callender stated there was a mistake on the Public Hearing Notice that was previously scheduled to be held prior to this month's Council Meeting, which resulted in the Public Hearing being cancelled until next month and a requirement to amend the agenda. Councilperson Callender made a motion to revise the agenda by deleting item #14 – Resolution05-05-22-103, which called for setting a date for a Special Election in association with the annexation of Liborio III L.P. Councilperson Moxley made a second to the motion and it passed with a unanimous roll call vote. Vice Mayor Wysong then requested a motion to accept the agenda as amended. Councilperson Amoako made a motion to accept the corrected agenda and Councilperson Moxley made a second to the motion. A unanimous roll call vote of the Town Council approved the motion.

REVIEW of PREVIOUS MONTHS MINUTES

Vice Mayor Wysong requested the Council to review the accuracy of the previous month's minutes and for a motion to accept them as presented or to make changes and amendment requests as needed.

A motion to accept the Town Council minutes, as presented was made by Councilperson Amoako, followed by a second by Councilperson Moxley to approve the motion. A roll call vote on the motion resulted in a unanimous vote to approve the minutes as follows:

Town Council Monthly Minutes – June 6, 2022

TREASURER'S REPORT:

. The Treasurer's Reports for the **Month of May 2022**, is as follows:

Monthly Cash Flow Comparisons

| TOWN of CHESWOLD | MAY 2022 |
|-----------------------------------|---------------------|
| Cash Receipts | \$ 107,825.71 |
| Cash Disbursements | \$ 68,375.32 |
| Positive Monthly Cash Flow | \$ 39,450.39 |

| ADMINISTRATION | MAY 2022 |
|-----------------------------------|---------------------|
| Cash Receipts | \$ 84,657.66 |
| Cash Disbursements | \$ 44,842.62 |
| Positive Monthly Cash Flow | \$ 39,815.04 |

| POLICE DEPARTMENT | MAY 2022 |
|-----------------------------------|---------------------|
| Cash Receipts | \$ 4,053.96 |
| Cash Disbursements | \$ 22,549.13 |
| Negative Monthly Cash Flow | \$ 18,495.17 |

| PUBLIC WORKS | MAY 2022 |
|-----------------------------------|---------------------|
| Cash Receipts | \$ 19,114.09 |
| Cash Disbursements | \$ 983.57 |
| Positive Monthly Cash Flow | \$ 18,130.52 |

TREASURER'S REPORT: "continued"

b. The Treasurer's Report, (Account Balances), for the Month of May 2022, is as follows:

| | as of: | MAY 2022 |
|-------------------------------|--------|------------|
| Capital Account | \$ | 30,000.60 |
| Cheswold Heritage Day Account | \$ | 4,409.18 |
| Eide Grant Fund Account | \$ | 5,094.44 |
| Public Safety Account | \$ | 58,002.40 |
| General Fund Account | \$ | 304,489.61 |
| Land Use Applicant's Account | \$ | 57,812.14 |
| Litigation Account | \$ | 5,470.42 |
| Municipal Street Aid Account | \$ | 55,614.97 |
| Salle Grant Fund Account | \$ | 1,652.56 |
| DelDOT Projects | \$ | 90,898.90 |
| ARPA Grant | \$ | 349,932.43 |
| Municipal Complex Building | \$ | 745,160.62 |

c. Requisitions –

| <u>Req. #</u> | <u>Department</u> | <u>Vendor</u> | <u>Item</u> | <u>Amount</u> | <u>To Be Paid By</u> |
|--------------------------|-------------------|---------------|-------------|---------------|----------------------|
| NOTHING TO REPORT | | | | | |

b. Proposed Purchase/s -

| <u>Req. #</u> | <u>Dept.</u> | <u>Vendor</u> | <u>Item</u> | <u>Amount</u> | <u>To Be Paid By:</u> |
|--------------------------|--------------|---------------|-------------|---------------|-----------------------|
| NOTHING TO REPORT | | | | | |

TAX COLLECTOR'S REPORT – Town Clerk Shadina Jones
 Month of May 2022

TAX REPORT: FISCAL YEAR 2021 – 2022

Total Amount Billed: \$165,826.80

Total Amount Paid: \$163,592.62

| | Paid As of: | Current Year: | Past Due Paid: |
|-------------------|-------------|---------------|------------------|
| 07/31/2021 | \$ | 33,601.18 | \$ 867.88 |
| 08/31/2021 | \$ | 97,083.11 | \$ 300.12 |
| 09/30/2021 | \$ | 23,534.44 | \$ 1,171.23 |
| 10/31/2021 | \$ | 2,077.06 | \$ 143.03 |
| 11/30/2021 | \$ | 442.81 | \$ 75.71 |
| 12 /31/2021 | \$ | 472.96 | \$ 21.97 |
| 01/31/2022 | \$ | 275.43 | \$ 43.59 |
| 02/29/2022 | \$ | 2,182.58 | \$ 2,696.98 |
| 03/31/2022 | \$ | 1,234.56 | \$ 722.27 |
| 04/30/2022 | \$ | 1,925.09 | \$ 1,211.03 |
| 05/31/2022 | \$ | 763.20 | \$ 458.49 |
| 06/30/2022 | \$ | | \$ |

TAX COLLECTOR'S REPORT – *Town Clerk Shadina Jones : "continued"*

b. DELINQUENT TAXES – *Town Clerk Shadina Jones (Absent)*

There were no new reports made to the Council.

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

Chief Workman presented his May 2022 report, via e-mail, to the Mayor and Council, prior to the meeting, as follows:

State of Delaware Accreditation – With the assistance of DHS, the Cheswold Police Department is continuing to work on the Accreditation process. The policy portion of the process has been completed and the proofing phase is beginning.

Vehicle Repair – The 2015 Chevy Tahoe is still at Willis Chevrolet. As of June 6, they were awaiting the delivery of the engine that is scheduled to be replaced.

New Computers – The computers have been delivered and installed in the patrol room for the officers.

Evidence Systems – The evidence systems have been installed and new protocols are being put in place.

New Vehicles – The Department received a SALLE grant to up fit the 2022 Ford Explorer (PIU). All lights and interior accessories have been ordered for the unit and will be installed by the Division of Communications when they arrive.

Firearms Training – Due to scheduling conflicts in May, officers of The Cheswold Police Department will be scheduled for the first of three required firearms training for the 2022 year this month. During that time, the officers will also be completing their yearly CEW (Taser) training.

Employment – The Department is currently evaluating potential employees as we receive applications.

FBI-LEEDA Agency Award – On June 1, 2022, Chief Workman was presented with the Trilogy Agency Award for the Cheswold Police Department at the FBI-LEEDA main office in Malvern, PA. This award is presented to the department whose command staff has completed the Trilogy of Leadership classes offered through FBI-LEEDA. Currently all the full-time staff (w/ the exception of our new officer) and some of the part time staff have completed the Trilogy of classes.

POLICE DEPARTMENT REPORT – “*continued*”

TRAFFIC

Traffic Violations Charged –

Officers issued 190 traffic summonses during the month of May. These are the number of violations issued. (One traffic stop could equal 2 violations, eg. Speeding, no driver’s license)

Actual Traffic Stops - 154

Graphs depicting traffic stops made in May and dispositions, were presented to the Council. The following reflects the data depicted on the graphs by ethnic and gender:

Male Traffic Stops

| | <u>May.</u> |
|--------------------|-------------|
| African American | 39 |
| Caucasian | 47 |
| Latino | 5 |
| Other/Undetermined | 0 |

Female Traffic Stops

| | <u>May.</u> |
|--------------------|-------------|
| African American | 33 |
| Caucasian | 23 |
| Latino | 2 |
| Other/Undetermined | 0 |

Dispositions

Summons

| | <u>May</u> |
|--------------------|------------|
| African American | 66 |
| Caucasian | 66 |
| Latino | 7 |
| Other/Undetermined | 3 |

Verbal Warnings

| | <u>May</u> |
|--------------------|------------|
| African American | 6 |
| Caucasian | 4 |
| Latino | 0 |
| Other/Undetermined | 0 |

Written Warnings

| | <u>May</u> |
|--------------------|------------|
| African American | 1 |
| Caucasian | 1 |
| Latino | 0 |
| Other/Undetermined | 0 |

Monthly Activity Report –

Officers responded to or completed reports for 214 Incidents for the month of May.

Monthly Incident Report – Is on file at Town Hall and is available upon request.

IF YOU DON'T CALL WHO WILL – CALL 9-1-1

PUBLIC WORKS REPORT – *Code Enforcement Officer Michael Callender*

Mr. Callender presented the following report to members of the Council via e-mail prior to the meeting:

- **Status Report –**

| | <u>PERMITS ISSUED</u> | <u>NEW VIOLATIONS</u> | <u>CLOSED VIOLATIONS</u> | <u>BUILDING INSPECTIONS</u> |
|----------|---------------------------|---------------------------|------------------------------|---------------------------------|
| May 2022 | 16 | 9 | 6 | 2 |

CODE ENFORCEMENT PROPERTIES

- **41 Commerce Street – PENDING: NO CHANGE.** *(See Parking Permits)
- **179 Commerce St. – PENDING:** Mr. Dan Simpson of M&D Homes who is the representative for the property owner, spoke with Mr. Callender about the process of acquiring a Demo permit. There has not been any further contact or permits issued since Mr. Simpson came in to speak with the Public Works Department at the Town Hall. The property remains on a timeline of 90 days for demolition, thereafter fines will begin.

VIOLATIONS

- *Stonington Lots #15; 16; 21; 130; 185; 186*
- *Nobles Pond Lots #337; 379*
- *2048 Moorton Road*

Construction Projects:

- **Stonington** – Construction continues as usual.
- **Alston’s Walk** – The Public Works Department has spoken with the property owners Ashburn Homes regarding a time frame for construction to begin. The Department also received a noncommittal answer regarding construction for some time this year, though they are still committed to building in Town.

PUBLIC WORKS REPORT -- *“continued”*

- **241 & 237 Commerce St.** – Final Connections are being made on the structures and HVAC. Electrical hookups have been made and plumbing permits were issued.

Town Maintenance – Letters have been sent out to property owners of the various vacant lots around Town to ensure the maintenance upkeep.

Parking Permits – A second round of letters will be mailed to the property owners along Commerce St. regarding parking. The requirement for the acquisition of parking permits for the July 11th, 2022, enforcement date.

Mr. Callender reminded the Vice Mayor and Council that the Public Works Report was sent via e-mail. Vice Mayor Wysong raised further question regarding Alston’s Walk and the timeline for building. Mr. Callender informed Mr. Wysong that the builders have a maximum of 5 years to begin building the complex/development.

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- The next Planning Commission meeting is scheduled for Thursday, June 9, 2022 at 5:00 pm. The revision of the Land Use Tables will be continued at that time.

- Preliminary Plan- Sentinel Storage Application #: 2022-03-30-109
 - Review Land Use Administrator’s Recommendation
- iii. Vote – Zoning Request Application #: 2022-04-07-110 R-3 (Multi-Family & Townhouse)

Mrs. Callender stated that Town Engineer Wilkes, recommends that the Preliminary Plan be accepted by the Town Council as a Preliminary/Final Plan, which will eliminate the requirement for the applicant to return through the Planning Commission and Town Council review process, plus pay an additional fee. She then asked Mr. Wilkes to explain his reasoning for such guidance to the Council. Mr. Wilkes joined the conversation and explained that the Preliminary Plan review was due to an administrative lapse and the plans that were previously submitted and approved have not changed. However, any change to the future plans will require a new submission and review process by the Town, including the payment of fees. A motion to approve the preliminary plan as final was made by Councilperson Amoako and seconded by Secretary/Treasurer Callender. The Council unanimously passed the vote, by roll call.

Monthly Town Council Meeting
Meeting Notice Posted: *December 15, 2021*

JUNE 6, 2022
Agenda Posted: *May 26, 2022*

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender: “continued”*

Following the vote for the Sentinel Storage application. Mrs. Callender informed the Council of the recommendation made by the Planning Commission to zone Liborio III L.P. as R-3, Multi-Family & Townhouse in association with PC Memo 2022-002 and it would be an internal vote. Vice Mayor Wysong asked if it would be appropriate to approve the zoning request before the

property is annexed and if the request could be incorporated into the agreement. Mrs. Callender informed Mr. Wysong that it is the zoning request is incorporated into the Annexation Agreement and will be voted on again after the Public Hearing. Mrs. Callender clarified that although the land is not annexed into Cheswold yet, the approval is not contingent on when the property is annexed. A motion was made to approve the Zoning Request Application by Councilperson Moxley and was seconded by Councilperson Johnson.

The vote on Resolution #05-25-22-103 was cancelled due to a posting error.

PROCLAMATIONS – *Town Administrator Sam Callender*

NOTHING TO REPORT

OLD BUSINESS:

- **Municipal Services Building – *Town Administrator Callender***

Mr. Wilkes made the Council aware of his search to find a company to complete the evaluation for a prospective basement. Two of the three businesses that were contacted have been entirely unresponsive. However, the third business known as, Atlantic Resource Management seems to meet all the qualifications to meet the needs of the Town. The company would provide the equipment and soil evaluation, along with several other resources. Unfortunately, Atlantic Resource Management tends to be very busy during the warmer months in the year and have not gotten back to Mr. Wilkes or Mr. Callender yet. The projected cost of the basement is \$600,000. The first floor of the building is projected to be \$2.3 million. Mrs. Callender informed the Council that she has spoken with our State Representative and filed an application for \$2.3 million and has discussed the option of applying for a loan of \$1 million to bring the total to \$3.3 million for completion of the proposed Town Hall/Police Department building.

- **Economic Development Plan & Cheswold Business and Merchant’s Association – *Councilperson Maxwell Amoako***

NOTHING TO REPORT

- **Activities Committee – *Mayor Faronea & Councilperson Johnson***

NOTHING TO REPORT

Monthly Town Council Meeting
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OLD BUSINESS: *“continued”*

- **Park Committee – *Vice Mayor Michael Wysong***

Mr. Wysong informed the Council that he recently met with a volunteer to help with the park. The volunteer is a resident of Parker's Run by the name of Ms. Benita Ogburn-McLean. Mr. Wysong also stated he is scheduled to meet at Town Hall tomorrow with Superior Play Systems, a company who specializes in playground equipment. Superior Play Systems is just one (1) of the three (3) proposals that he has reviewed. Mrs. Callender asked if Mr. Wysong would be providing a design layout for the playground. Mr. Wysong stated he would be sure to present the plans to Council once he has received them from the best fit company for the project.

- **Protest Plan Team** – *Team Leader Chief Chris Workman* –

ON HOLD UNTIL FURTHER NOTICE

- **American Rescue Plan**- *Town Administrator Sam Callender*

Mrs. Callender stated the Town has completed all required reports but is exempt from additional reports for organizations that received more than \$750,000.

NEW BUSINESS: *Town Administrator Sam Callender*

- a. 2022 Comprehensive Plan Annual Questionnaire Review

Mrs. Callender discussed the Municipal Comprehensive Plan with the Council. She stated every ten (10) years there is a comprehensive plan to be done and every five (5) years an update to that plan must be completed and every six (6) months there must be an update on the goals and objectives included in the initial plan. Mrs. Callender stated she made changes to a couple of things. After speaking with Mr. Jim Galvin of the MPO to discuss issues with the roadways, an overhead walkway to the nearest Walmart, railroad crossing improvements and street crossings in Old Town and directly in front of the Fire Department. Mrs. Callender then asked the Council if they had any changes for the plan. Mr. Wysong stated he had no changes or improvements to add to the list Mrs. Callender created and was very pleased with the hard work she has put in, as he understands it was a tedious process. Mr. Amoako interjected with question regarding street improvements due to the significant number of accidents along the highway. Chief Workman informed Mr. Amoako that the location he referenced is not Cheswold's jurisdiction, rather Delaware State Police.

Monthly Town Council Meeting

Meeting Notice Posted: *December 15, 2021*

JUNE 6, 2022

Agenda Posted: *May 26, 2022*

NEW BUSINESS: *Town Administrator Sam Callender: "continued"*

TOWN of CHESWOLD

P.O. Box 220 – Cheswold, Delaware 19936
Phone: (302) 734-6991 – Fax: (302) 734-1355

b. Parker's Run HOA Board Question:

"Will the Town of Cheswold agree to pay for paving the roads on the west side of the development?"

Mrs. Callender gave background knowledge on Parker's Run and the reasons for the development's request. Mrs. Callender informed all parties that in 2003 during the construction period of Parker's Run, there was no Land Use Ordinance within the Town of Cheswold. Therefore, a bond was not put in place by the developers.

The east side of Parker's Run is paved; however, the west side of the development is not. The Parker's Run HOA board is requesting the Town to pay for the paving of the west side roads. Mrs. Callender informed The Parker's Run attendees that Town (public) funds cannot be used for private entities. Mrs. Johnson asked if every road in Town will be paved if the Town supports Parker's Run with funds for their roadways.

Additionally, Mrs. Callender and Mr. Amoako removed themselves from voting (if applicable) on the funding of the development's roadways. Mr. Moxley had no comments for the discussion. Mr. Wysong, Mrs. Johnson, and Mrs. Callender were all in agreement that the Town should not pay for private entities. Mr. Wysong stated the issue does not need to be voted on, as it is not possible for the Town to comply. The request for assistance was denied. The floor was then opened for community comments.

COMMUNITY COMMENTS:

Mr. David Malone requested for the Council to introduce themselves, although an introduction was made at the start of the Council meeting. He then stated he was told there was a possibility that the Town would pay for the paving of the roads in Parker's Run and stated he would like to know how the question has been answered.

Ms. Ebonie Taylor stated she was told that taxpayer dollars are only used to fund the Police Department. However, Mrs. Callender explained that taxpayer dollars are used to fund not only the Police Department, but Public Works and Administration.

Monthly Town Council Meeting
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COMMUNITY COMMENTS: *"continued"*

Mr. Rodney Callender asked how many developments are located within the Town. He was informed collectively by Mr. Wysong and Mrs. Callender that the following private developments exist in Cheswold:

Strimel's Mobile Home Park
Blanton's Trailer Park
Fox Pointe
Nobles Pond
Stonington
Parker's Run

Potential Developments: Alston's Walk

It was also explained that none of the listed developments received financial assistance from the Town. However, Old Town is not apart of any development and belongs to the Town. Therefore, Old Town is taken care of by the Town as it is owned by the Town, as previously advised at the Town of Cheswold/Parker's Run Informational Session.

Ms. Taylor followed up and stated that new developments have bonds and will not be in the same position that Parker's Run is in. Ms. Taylor stated the Town placed Parker's Run in the situation it is in by not requiring the developers to ensure a bond with the Town. Mrs. Callender corrected Mrs. Taylor by informing her that the Town cannot be held responsible for not having a law that it was not required to have at the time Parker's Run was amended into the Town.

Mr. Malone raised question about the lawsuit that was filed against the Town and questioned whether it was paid for by municipal insurance. Mr. Malone was informed that the lawsuit is being paid for with taxpayer dollars. Mr. Malone asked if the lawsuit has been paid off, how much is left and what the total was at the start. Mrs. Callender informed Mr. Malone that is has not been paid off, she does not have the current balance from the attorney at this time but will relay the information once received. Per Mrs. Callender, a total of \$300,000, plus interest is projected to be paid off within two years.

Monthly Town Council Meeting
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COUNCILPERSON COMMENTS:

Vice-Mayor Michael Wysong – *Mr. Wysong thanked the attendants that joined via Zoom.*

Secretary/Treasurer Theon Callender – *NOTHING to REPORT*

Councilperson Judith Johnson – *NOTHING to REPORT*

Councilperson Mark Moxley – *NOTHING to REPORT*

Councilperson Maxwell Amaoko – *NOTHING to REPORT*

MAYOR FARONEA'S COMMENTS – *Excused*

Motion to Adjourn

A motion was made by Councilperson Callender seconded by Councilperson Moxley to adjourn at 6:23 p.m. A roll call vote on the motion resulted in a unanimous vote from present Council to approve. The meeting adjourned immediately thereafter.

Submitted by: Administrative Clerk Camryn Tunnell – June 7, 2022

Approved by: Reviewed by: Secretary/Treasurer Theon E. , (Sam), Callender – June 9, 2022